

Ask the U.S. Embassy

May 3, 2017

Question: I am a Legal Permanent Resident (LPR) of the United States, and came to Jamaica a month ago to visit family. My Permanent Resident Card (also known as an I-551 or “green card”) expired while I was here. How can I travel back home to the U.S.?

Since you departed the United States less than a year ago, you may reenter the U.S. if you have any of the following documents in your possession:

- An expired green card with a 10-year expiration date;
- A 1977 version of the green card with no expiration date;
- An expired green card with a two-year validity and a Form I-797, *Notice of Action*, indicating that your status is extended; or
- Orders, civilian or military, from the U.S. government showing that you were traveling outside the United States on official government business.

Question: My green card is lost, stolen or damaged and I have been out of the U.S. less than one year. What should I do?

If your green card has been lost, stolen, or seriously damaged beyond normal wear and you have been out of the U.S. less than one year, then you need a boarding foil to and reenter the United States. To request a boarding foil, you must:

- Schedule an Embassy appointment to apply for a boarding foil at <https://ais.usvisa-info.com/en-jm/iv>;
- Complete Form I-131A and bring it to your interview. You will need your Alien number to complete the form. If you don't have it, you may obtain it from USCIS.
- Obtain a police report if your card was lost or stolen;
- Bring a valid passport and one passport photo;
- Pay the boarding foil fee of U.S. \$575. Payment cannot be made at the Embassy and must be completed online at <https://www.uscis.gov/file-online/log-online-filing>. Bring your receipt to your interview appointment.

Question: I am a Legal Permanent Resident (LPR) and need to leave the United States for business, educational, or personal reasons and will remain outside of the U.S. for more than one year. How can I travel back home to the U.S.?

LPRs have the right to travel to and from the U.S. but are expected to live primarily in the United States. LPRs who wish to remain outside the U.S. longer than one year should apply for a reentry permit **before** leaving the United States. A reentry permit allows an LPR to remain outside the U.S. for the duration of the permit's validity. Please note that all applications for reentry permits must be filed while the LPR is physically present in the United States, no fewer than 60 days before the intended date of departure. If an LPR has already left the U.S., then he is not eligible for a reentry permit and must return to the U.S. within one year or risk losing LPR status. To apply for this permit, go to <https://www.uscis.gov/i-131>

Question: I don't have a reentry permit and have now been outside the U.S. for more than one year. What are my options?

If you did not apply for a reentry permit before you left and you have now been away from the U.S. for more than one continuous year, you no longer enjoy valid LPR status. You can apply for a Returning Resident (SB-1) visa. To qualify for an SB-1 visa, you must provide evidence that you:

- Had LPR status at the time you left the United States;
- Departed the U.S. with the intention of returning and have not abandoned this intention; and
- Were unable to return to the U.S. within one year for reasons beyond your control and for which you were not responsible.

If you believe that you meet all of the criteria listed above, schedule an appointment for an SB-1 visa by going to <https://ais.usvisa-info.com/en-jm/iv>. You should make this appointment at least three months in advance of the date you intend to return to the U.S., and an interview will be required. There are several additional steps in the process if your SB-1 is approved. If your application is refused, then you are considered to have abandoned your residence in the United States. If you wish to live in the U.S. again, you will need to repeat the immigrant visa application process and have a new petition filed on your behalf. For more information on SB-1 visas go to <https://travel.state.gov/content/visas/en/immigrate/returning-residents.html>

Question: I am a Legal Permanent Resident (LPR) of the United States and married to a U.S. citizen. My husband and I have been living in Jamaica for the past three years and now want to return to the United States, but my green card has expired. How can I obtain a new green card to enter the U.S.?

You cannot obtain a new green card in Jamaica. Whether your green card is still valid or has expired is not the issue; the problem is the length of your absence from the United States. If you have remained outside of the U.S. for more than one year and did not obtain a reentry permit before you left, and have not been approved for a SB-1 visa, you run the risk that Customs and Border Patrol may deny you entry into the U.S. when you arrive there. To avoid this probability, consider your options before planning your travel:

- If you do not intend to resume full-time residence in the U.S. but only wish to visit from time to time, then you should consider abandoning your LPR status by completing an I-407, surrendering your LPR card, and applying for a nonimmigrant visitor visa. This 10-year visa will not allow you to live in the U.S. but will permit you to visit for relatively short periods of time. Unlike the green card, however, this visa would not compel you to return to the U.S. every year.
- Apply for a Returning Resident (SB-1) Visa if you meet the criteria previously outlined.
- If you do not qualify for an SB-1 visa, then your husband must file another petition for you to begin the immigrant visa process again. You will be responsible for refiling all paperwork and paying all associated fees.

The one-year time limitation may not apply for those who have civilian or military orders from the U.S. government showing they were traveling outside the United States on official government business. Go to www.uscis.gov for the requirements related to this exception.

For more information on all of these questions, go to <https://jm.usembassy.gov/visas/immigrant-visas/returning-resident-visa/> and the Department of State's travel website www.travel.state.gov. Keep on top of Embassy news on our Facebook page, <https://www.facebook.com/USEmbassyJamaica/> and by following @USEmbassyJA on Twitter. We also answer general visa questions on our Facebook and Twitter pages.